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July 28, 2025

VIA CM/ECF & HAND DELIVERY

The Honorable Christopher J. Burke
J. Caleb Boggs Federal Building
844 N. King Street, Unit 28, Room 2325
Wilmington, DE 19801-3555

RE: *National Steel Car Limited v. FreightCar America, Inc.*,
C.A. No. 24-594-JLH-CJB

Dear Judge Burke:

Pursuant to the Court's July 21, 2025 Order, Plaintiff National Steel Car Limited ("NSC") and Defendant FreightCar America, Inc. hereby submit this joint letter describing their efforts to reduce the issues in their contemplated discovery motion.

The parties' July 18, 2025 joint letter raised seven discovery issues. Pursuant to the Court's July 21 Order (D.I. 90), the parties discussed those issues in a conference of counsel held on July 24, and in subsequent communications. For NSC, Andrew Russell (Delaware counsel), Kenneth Sheehan (lead trial counsel), Robert Keeler, and Kevin Adams participated. For FreightCar America, Jack Phillips (Delaware counsel), Brian Horne (lead trial counsel), and Justin Gillett participated.

The parties wish to defer the discovery motion in the hope the issues to be presented to the Court may be narrowed further.

Respectfully,

John C. Phillips, Jr.

John C. Phillips, Jr. (#110)

cc: All Counsel of Record (by CM/ECF & email)